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FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

FIRST GENERAL COUNSEL'S REPORT

CELA

MUR: 6621

DATE COMPLAINT FILED: August 2, 2012

DATE OF NOTIFICATION: August 9, 2012

DATE OF LAST RESPONSE: December 12, 2012

DATE ACTIVATED: October 9, 2012

EXPIRATION OF STATUTE OF LIMITATIONS:
August 13, 2015

COMPLAINANT: Genevieve S. Wallace

RESPONDENTS: American Hotel & Lodging Association
American Hotel & Lodging Association Political
Action Committee and Joori Jeon in her official
capacity as treasurer
The Broadmoor Hotel, Inc.

**RELEVANT STATUTES:
AND REGULATIONS** 2 U.S.C. § 441b(b)(3), (4)
11 C.F.R. § 114.5
11 C.F.R. § 114.7
11 C.F.R. § 114.8

INTERNAL REPORTS CHECKED: Commission Disclosure Reports

FEDERAL AGENCIES CHECKED: N/A

I. INTRODUCTION

This matter involves allegations that the American Hotel & Lodging Association Political Action Committee ("HotelPAC" or the "Committee"), which is the separate segregated fund of the American Hotel and Lodging Association ("AHLA"), improperly solicited individuals outside of AHLA's or its members' restricted class and failed to inform contributors about its political purpose in violation of the Federal Election Campaign Act, as amended (the "Act").

Complainant is a member of the Broadmoor Golf Club ("Golf Club" or "Club"), which is a wholly owned operation of The Broadmoor Hotel, Inc. (the "Broadmoor"), a corporate member

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1 of AHLA. The Complainant asserts that she and other Golf Club members were illegally
2 solicited to make contributions to the Committee when she and other Golf Club members were
3 invited to HotelPAC fundraisers in 2010 and 2011 and received unrequested copies of AHLA's
4 trade magazine, *Lodging Magazine*, which also contained solicitations to HotelPAC. The
5 articles also reference AHLA's website, which appears to contain solicitations for contributions
6 available to the general public. Complainant further alleges that AHLA and HotelPAC's
7 practices "duped" her into making political contributions to HotelPAC and candidates she did
8 not support when she believed she was paying dues for the Golf Club. Compl. at 2.

9 Respondents acknowledge soliciting members of the Golf Club to attend HotelPAC
10 fundraisers and that these solicitations were impermissible. AHLA Resp. at 2 (Sept. 17, 2012);
11 AHLA Supp. Resp. at 2 (Nov. 21, 2012). AHLA and HotelPAC also contend that sending
12 copies of *Lodging Magazine*, which allegedly contained solicitations, to the Complainant herself
13 was permissible because the Complainant was a member of AHLA in early 2012. AHLA Resp.
14 at 3. To the extent that non-members of AHLA may have received these communications, the
15 Respondents assert that the number would have been *de minimis*. *Id.* at 4.

16 As discussed below, we recommend that the Commission find reason to believe that
17 AHLA and HotelPAC solicited contributions outside of the restricted class, a violation of 2
18 U.S.C. § 441b(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1). We also recommend that the
19 Commission find reason to believe that AHLA and HotelPAC failed to inform individuals of the
20 political purpose of HotelPAC or the right to refuse to contribute without any reprisal, violations
21 of 2 U.S.C. § 441b(b)(3)(B) and (C) and 11 C.F.R. § 114.5(a)(3) and (4). With respect to the
22 Broadmoor, we recommend that the Commission dismiss the allegations but send a letter of
23 caution. We further recommend that the Commission authorize a limited investigation to

13044350119

determine the amount of improper contributions raised as a result of the solicitations appearing in *Lodging Magazine* and AHLA's website.

II. FACTUAL BACKGROUND

AHLA is an incorporated trade association that represents the lodging industry. *See* <http://www.ahla.com/content.aspx?id=3438>. HotelPAC, a committee registered with the Commission, is the separate segregated fund ("SSF") of AHLA. *See* AHLA Statement of Organization (Sept. 20, 2012). The Broadmoor is a hotel located in Colorado Springs, Colorado. Broadmoor Resp. at 1 (Nov. 19, 2012). The Golf Club is a private country club with dues paying members and is located on the same property as the Broadmoor. *Id.* The Broadmoor and the Golf Club are not separate legal entities; the Broadmoor operates the Club as a department of the hotel. Broadmoor Supp. Resp. at 1. The Broadmoor is a corporate member of AHLA. AHLA Resp. at 2; Broadmoor Resp. at 2.

For over ten years, the Broadmoor has hosted an annual fundraiser for HotelPAC. Broadmoor Resp. at 2. The Broadmoor worked closely with AHLA and AHLA's state partner to plan the fundraisers, which consisted of a reception, dinner, and an auction. *Id.* According to the Broadmoor, the branding of the events — that is, the trade logos and names displayed on marketing materials at the events — featured only HotelPAC, not the hotel,¹ and HotelPAC was the exclusive beneficiary; AHLA managed the event, while the Broadmoor provided its facilities, food, and service. *Id.* (citing Decl. of Cindy Johnson ¶¶ 4, 7-8 (Oct. 25, 2012)). Attendees made all payments and contributions directly to HotelPAC; the Broadmoor neither collected nor bundled checks nor received payments or contributions. *Id.*

¹ We note, however, that the Broadmoor's logo appears in solicitation materials submitted with the Complaint and Broadmoor's Response. *See, e.g.,* Compl., Ex. 1, 4; Broadmoor Resp., Ex. 5-8, 10.

13044350120

A. HotelPAC Fundraisers

1. 2010 Fundraiser

In 2010, the Broadmoor staff sought to increase attendance at the fundraiser. They consulted with AHLA leadership, including its president and counsel, to determine whether Golf Club members could be invited. Broadmoor Resp. at 2 (citing Johnson Decl. at ¶¶ 10-12; Decl. of Michael Pastor-Clark ¶¶ 6-8 (Nov. 15, 2012)). According to the Broadmoor, AHLA concluded that the Broadmoor could invite Golf Club members so long as they agreed to become members of AHLA. Broadmoor Resp. at 3 (citing Johnson Decl. ¶ 13; Pastor-Clark Decl. ¶ 8; Decl. of Maureen Carter ¶ 8 (Nov. 15, 2012)). On August 13, 2010, the Broadmoor invited Golf Club members to attend the fundraiser. Compl., Ex. 1; Broadmoor Resp., Ex. 8. Broadmoor staff signed the letters, printed on Broadmoor stationery, and enclosed a registration form drafted by AHLA. Compl., Ex. 1; Broadmoor Resp., Ex. 8. The fundraiser cost \$50 per person. Compl., Ex. 1; Broadmoor Resp., Ex. 8. After arriving at the fundraiser, Club members were required to complete an AHLA membership form and become complimentary members of AHLA for three months. Broadmoor Resp. at 3 (citing Carter Decl. ¶ 10). The Broadmoor claims that it followed AHLA's instructions precisely. Broadmoor Resp. at 1, 3.

AHLA acknowledges, and the Broadmoor does not dispute, that the Broadmoor should not have invited the Golf Club members because they were not members of the restricted class of the Broadmoor or AHLA. AHLA Resp. 2; AHLA Supp. Resp. at 1; Broadmoor Resp. at 5-6. The AHLA's Supplemental Response concedes that the solicitations violated the Act and that AHLA's "guidance and monitoring of the content and timing of the Broadmoor's communications with Club Members were inadequate and that this resulted in

13044350121

1 miscommunications and misunderstandings that led to the transgression.” AHLA Supp. Resp.
2 at 1.² AHLA contends that it alone should be held accountable for the solicitations. *Id.* at 2.

3 According to AHLA, 32 Club members attended the 2010 event and contributed \$19,425
4 to HotelPAC. AHLA Resp. at 2. Shortly after the fundraiser, AHLA staff discovered that
5 Broadmoor management had mistakenly invited Golf Club members. *Id.* AHLA sought to
6 correct the error by depositing the funds into an AHLA administrative account “used to defray
7 legislative expenses.” *Id.* AHLA claims that Golf Club members were informed of this action.
8 *Id.*

9 2. 2011 Fundraiser

10 In 2011, the Broadmoor and AHLA again wished to invite Golf Club members to the
11 annual fundraiser. AHLA Resp. at 3; Broadmoor Resp. at 3 (citing Johnson Decl. ¶ 15). To
12 comply with Commission regulations, AHLA reasoned that the Broadmoor could invite Golf
13 Club members to the event if the invitees joined AHLA — thus making them members of
14 AHLA’s restricted class. AHLA Resp. at 3; Broadmoor Resp. at 3. AHLA provided the
15 Broadmoor with a notice to distribute to Club members, inviting them to join AHLA for one year
16 for a discounted fee. AHLA Resp. at 3 (citing Compl., Ex. 6).

17 The Broadmoor emailed the notice to Golf Club members on August 3, 2011. Compl.,
18 Ex. 6. The same day, the Broadmoor separately sent Golf Club members an invitation for the
19 August 8, 2011, fundraiser. Compl., Ex. 4; Broadmoor Resp., Ex. 10. This invitation was
20 similar to the one sent in 2010, but in 2011 attendance at the reception and dinner would be free.
21 *Id.* In a separate email, also sent August 3, 2011, the Broadmoor made express that Club

² AHLA disputes some of the “characterizations and other statements” contained in the Broadmoor Response but does not further specify. AHLA Supp. Resp. at 1. In its original Response, AHLA asserts that the Broadmoor misunderstood AHLA’s instructions when the hotel invited the Golf Club members to the HotelPAC fundraiser. AHLA Resp. at 2.

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1 Members must become AHLA members, for an annual fee of \$25, to attend the event: "The
2 reception and dinner are complimentary, but attendees must be members of the [AHLA] (this
3 will explain the previous email regarding [AHLA])." Compl., Ex. 7; AHLA Resp. at 3.
4 Although the Complainant paid the membership fee, she did not attend the fundraiser. AHLA
5 Resp. at 3. Nonetheless, 14 Club members became AHLA members, and ten of those attended
6 the event and made contributions totaling \$9,515.00 to HotelPAC. *Id.*; AHLA Supp. Resp. at 1.

7 AHLA first argued that the Broadmoor properly solicited Club members in 2011. *See*
8 AHLA Resp. at 3. In its Supplemental Response, however, AHLA concedes that this solicitation
9 also appears to be illegal. *See* AHLA Supp. Resp. at 1. AHLA believes that the 2011
10 solicitation violated Commission regulations because it invited Golf Club members to join
11 AHLA at the same time that it solicited them to make a contribution to HotelPAC. *Id.*

12 3. 2012 Fundraiser

13 On July 28, 2012, the Broadmoor again invited Golf Club members to the annual
14 HotelPAC fundraiser. Compl., Ex. 10. After notice and receipt of the Complaint, however, the
15 Broadmoor and AHLA withdrew the invitation to Golf Club members. AHLA Resp. at 3;
16 Broadmoor Resp. at 4. Ex. 11.

17 B. *The Lodging Magazine Articles*

18 The Complaint attaches two articles signed by the president of AHLA, Joseph A.
19 McInerney. The pieces appear in the February and March 2012 issues of *Lodging Magazine*,
20 which is AHLA's trade magazine that it distributes to its members. *See* Compl., Exs. 8-9.
21 According to the magazine's website, the magazine "currently reaches more than 40,000 hotel
22 executives." *See* LODGING MAGAZINE, <http://www.lodgingmagazine.com/main/subscribe.aspx>,
23 Attach. A. Although *Lodging Magazine* appears to be geared towards AHLA's membership,

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1 free digital editions of the magazine are available on its website, which is open to the public. *See*
2 *id.*, <http://www.lodgingmagazine.com/Main/digitaleditions.aspx>, Attach. B. The website also
3 appears to permit individuals to obtain free subscriptions. *See id.*, Attach. A. In the February
4 2012 issue, McInerney states:

5 While we're on the topic of politics, I urge you to contribute to HotelPAC, which
6 has a new online option via www.ahla.com. Not only is it a presidential election
7 year, there are also more than 32 Senate seats up for grabs, so it's imperative that
8 representatives who recognize and support our business are elected or re-elected.
9

10 Compl., Ex. 8. In the March 2012 issue, McInerney states, "If you have not already, I urge you
11 to contribute to HotelPAC, which has an online option via www.ahla.com." Compl., Ex. 9.

12 The Complainant notes that these articles encompass only a sampling of such articles.
13 Upon review of the free digital editions available on *Lodging Magazine's* website, we found an
14 article in the January 2012 edition that also appears to solicit contributions to HotelPAC. That
15 article states, "This year is also an election year. The House is up for re-election, as are 32 seats
16 in the Senate, and the presidency. We need your support for our HotelPAC and we've made it
17 easier than ever through our online donation option on the AH&LA website." *From the*
18 *President's Desk*, LODGING MAGAZINE (Jan. 2012) at 18, Attach. C.

19 AHLA and HotelPAC contend that the solicitations appearing in the magazines sent to
20 the Complainant were not improper because Wallace was a member of AHLA in early 2012.
21 AHLA Resp. at 3. To the extent that the magazine may have been circulated to Club members
22 that were not AHLA members, the Respondents claim that the number of such individuals would
23 have been *de minimis* and the solicitations therefore permissible. *See* AHLA Resp. at 4
24 (identifying "the 3% 'incidental' exception recognized by the Commission in previous advisory
25 opinions and announcements") (citing *Campaign Guide for Corporations and Labor*
26 *Organizations* at 24 (Jan. 2007)).

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III. LEGAL ANALYSIS

A. Solicitations Outside the Restricted Class

The Act permits corporations to establish political committees known as separate segregated funds or "SSFs." *See* 2 U.S.C. §§ 441b(b)(2)(C); 431(4)(B). The Act, however, prohibits a corporation or its SSF from soliciting contributions to the SSF from persons outside the corporation's restricted class — namely, the corporation's executive and administrative personnel and families of such personnel. *Id.* § 441b(b)(4)(A)(i); 11 C.F.R. § 114.5(g)(1). Subject to certain conditions, a membership organization may solicit its corporate and non-corporate members directly. 2 U.S.C. § 441b(b)(4)(D); 11 C.F.R. §§ 114.7(c), 114.8(c)(i). A trade association and its SSF may solicit the stockholders and the executive and administrative personnel of a member corporation, provided that the member corporation separately and specifically approves the solicitation, and the member corporation does not approve a solicitation by any other trade association during the calendar year.³ 2 U.S.C. § 441b(b)(4)(D); 11 C.F.R. § 114.8(c), (d). Commission regulations also contemplate that the member corporation may solicit contributions to the trade association's SSF. *See* 11 C.F.R. § 114.8(d)(1). Finally, Commission regulations provide that an "[a]ccidental or inadvertent solicitation" of persons outside a restricted class "will not be deemed a violation," if a corporation or SSF "used best efforts to comply with the limitations regarding the persons it may solicit and that the method of solicitation is corrected forthwith after the discovery of such erroneous solicitation." 11 C.F.R. § 114.5(h).

³ *See* 11 C.F.R. § 114.1(e)(1) (defining membership organization); 11 C.F.R. § 114.1(e)(2) (defining member of a membership organization); 11 C.F.R. § 114.8 (defining trade association); *see also* Advisory Op. 2012-15 (Am. Physical Therapy Assoc.) at 7, n.9 (explaining that a trade association that is also a membership organization may solicit non-corporate members).

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1 Here, because the Broadmoor is a member of the AHLA, the Act and Commission
2 regulations permitted AHLA, HotelPAC, and the Broadmoor to solicit the Broadmoor's
3 executive and administrative personnel. But because the Broadmoor is a corporation with capital
4 stock — and thus not a membership organization under 11 C.F.R. § 114.7 — individuals who
5 paid dues to the Golf Club were not within the Broadmoor's restricted class. *See* Broadmoor
6 Supp. Resp. at 1.⁴

7 1. The 2010 and 2011 Fundraising Event Invitations Constituted Solicitations
8 Outside the Restricted Class
9

10 As Respondents concede, the 2010 solicitation to Golf Club members did not comply
11 with the Act and Commission regulations because those individuals were not members of AHLA
12 or the Broadmoor's restricted class.⁵ Despite this concession, however, AHLA and HotelPAC
13 argue that they cured the violation by depositing contributions that resulted from the
14 impermissible solicitations into an AHLA administrative account. They therefore contend that
15 the Commission should not find reason to believe that the solicitation violated the Act. *See* 11
16 C.F.R. § 114.5(h).

17 We disagree. AHLA and HotelPAC acknowledge that they failed to sufficiently monitor
18 the Broadmoor's activities, which resulted in solicitation of persons outside the restricted class.
19 While the AHLA appears to maintain it never authorized the Broadmoor to solicit members of
20 the Golf club, the solicitations were neither accidental nor inadvertent — the Broadmoor
21 *intended* to solicit the Golf Club members. Further, Respondents' proposal — depositing funds

⁴ There is no indication — and the Broadmoor does not assert — that any of the Golf Club members were also executive and administrative personnel of the hotel, or their families.

⁵ Although the letters to Golf Club members were signed only by Broadmoor staff, AHLA and HotelPAC also participated in soliciting the Golf Club members. AHLA managed and operated the fundraisers where guests were solicited for contributions. Broadmoor Resp. at 2. AHLA also drafted the registration form that was enclosed with the invitation letter to the 2010 event and also provided at the event, which solicited a \$50 contribution to HotelPAC. *See* Broadmoor Resp., Ex. 6-8.

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1 obtained through impermissible solicitations into another administrative account — fails to
2 “correct the method of solicitation.” 11 C.F.R. § 114.5(h). Moreover, Respondent’s proposal
3 would undermine the Act’s prohibition on soliciting persons outside the restricted class.
4 Corporations would have little incentive to comply with the Act and Commission regulations if
5 they could use the funds solicited in violation of the Act for an alternative purpose. The
6 Commission’s recent practice supports this view. *See* Conciliation Agreement at ¶ VI.4, MUR
7 6121 (Advanced Med. Tech. Ass’n) (requiring illegally solicited contributions to be disgorged);
8 *see also* Conciliation Agreement at ¶¶ 9, 14.B, MUR 5749 (GSP Consulting Corp.) (refunding
9 illegal contributions prior to filing of complaint).⁶

10 Nor did the 2011 solicitations comply with the Act and Commission regulations. As
11 AHLA and HotelPAC concede, the Respondents invited Golf Club members to join AHLA
12 while simultaneously soliciting contributions by inviting them to a fundraiser for HotelPAC. *See*
13 AHLA Supp. Resp. at 1. The Commission has explained that “the Act and Commission
14 regulations preclude simultaneous solicitation of membership and contributions” to a political
15 committee. Advisory Op. 1992-41 (Ins. Coal. of Am.) at 4. A “[s]imultaneous solicitation
16 would, in effect, evade the parameters of the solicitable class by leading to a process that is, in
17 reality, a solicitation of a broader group.” *Id.* Accordingly, Respondents could not solicit
18 members of the Golf Club unless they were first members of AHLA. According to AHLA,
19 fourteen Club Members accepted the invitation to join AHLA in 2011, ten of whom made \$9,515

⁶ In MURs 4568/4633/4634/4736 (Madison Project Inc. Fund), the Commission did not require the respondent to refund the contributions that were solicited from outside the restricted class because the respondent had acted as a conduit for the illegal contributions that the Sam Brownback for U.S. Senate Committee (“Brownback Committee”) received. Rather, the Commission advised the Brownback Committee to take steps to comply with the requirements of section 103.3(b)(3). *See* Letter to Benjamin L. Ginsberg from Lois G. Lerner (May 21, 2001), MURs 4568/ 4633/4634/4736.

1 in contributions to HotelPAC. AHLA Supp. Resp. at 1. AHLA and HotelPAC do not assert that
2 they took steps to rectify the error regarding the 2011 solicitations under section 114.5(h).

3 Although it appears that the Broadmoor, AHLA, and HotelPAC all solicited contributions
4 outside the restricted class for the 2010 and 2011 events, we recommend that the Commission
5 pursue only AHLA and HotelPAC. The Broadmoor has provided substantial evidence that it
6 relied on AHLA and HotelPAC for guidance in complying with the Act and Commission
7 regulations. *See* Broadmoor Resp., Exs. 1-10. In addition, AHLA and HotelPAC concede that
8 they should have more closely monitored the activities of the Broadmoor and that they alone
9 should be liable for the improper solicitations. AHLA Supp. Resp. at 2. Under these
10 circumstances, dismissal as to the Broadmoor is a justified exercise of prosecutorial discretion.
11 *See Heckler v. Chaney*, 470 U.S. 821 (1985). We further recommend dismissal as to all
12 Respondents for the 2012 fundraiser. Upon receipt of the Complaint, Respondents withdrew
13 Golf Club members' invitations to the 2012 fundraiser. There is also no indication that
14 contributions were made as a result of that withdrawn solicitation. Under these circumstances,
15 too, dismissal as to all parties for the 2012 fundraiser is a justified exercise of prosecutorial
16 discretion.

17 We therefore recommend that the Commission: (1) find reason to believe that AHLA
18 and HotelPAC violated 2 U.S.C. § 441b(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1)⁷ with respect to

⁷ In MUR 6121, the Commission found reason to believe that a trade association violated 2 U.S.C. § 441b(b)(4)(D) and 11 C.F.R. § 114.8(c) when it solicited contributions outside the restricted class. These provisions, however, do not contain a specific prohibition, but instead set forth the requirements for trade association solicitations of members. Accordingly, we believe that 2 U.S.C. § 441b(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1) are the provisions that are violated, as they specifically prohibit corporations and SSFs, including incorporated trade associations, from soliciting contributions outside the restricted class.

In MUR 5899 (N.Y. Bankers Association Community PAC), a matter generated by a *sua sponte* submission, the Commission found that a trade association appeared to have violated 2 U.S.C. § 441b(b)(4)(A)(i) by soliciting contributions from individuals outside the restricted class. The Commission, however, dismissed the

1 the 2010 and 2011 fundraisers; (2) dismiss the allegation that the AHLA and HotelPAC violated
2 2 U.S.C. § 441b(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1) with respect to the 2012 fundraiser; and
3 (3) dismiss the allegations that the Broadmoor violated 2 U.S.C. § 441b(b)(4)(A)(i) and 11
4 C.F.R. § 114.5(g)(1), but send a letter of caution.⁸

5 2. The Articles in *Lodging Magazine* Constituted Solicitations Outside the
6 Restricted Class
7

8 By stating "I urge you to contribute to HotelPAC" in articles published in the February
9 and March 2012 issues of *Lodging Magazine*, the President of AHLA solicited contributions to
10 HotelPAC. The January 2012 article also solicited contributions: "[w]e need your support for
11 HotelPAC and we've made it easier than ever through our online donation option" These
12 solicitations therefore must comply with the requirements of the Act and Commission
13 regulations. See MUR 5681 (High Point Reg'l Ass'n of Realtors) (entering into Conciliation
14 Agreement with membership organization for an article soliciting contributions in organization's
15 newsletter). Because the record indicates that Complainant paid an annual membership fee for
16 AHLA in August 2011, AHLA and HotelPAC properly solicited her when they sent her the
17 January, February, and March 2012 issues. Nevertheless, publicly available information
18 indicates that any number of the public may obtain copies of the magazine, which were posted
19 online, and AHLA and HotelPAC may have therefore solicited contributions outside of the

matter because a trade association subsequently acquired by the respondent had committed the violation and the respondent had satisfied the factors in the Commission's *sua sponte* policy.

⁸ The Commission has previously interpreted 2 U.S.C. § 441b(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1) as prohibiting a corporation from soliciting individuals outside the restricted class for contributions to its own SSF. See, e.g., AO 2012-15 at 9 n.12. These provisions should equally apply to a member corporation that, in conjunction with the trade association and trade association SSF, solicits individuals for contributions to the trade association's SSF. The language of sections 441b(b)(4)(A)(i) or 114.5(g)(1) encompasses such application. Further, because these provisions explicitly incorporate by reference 2 U.S.C. § 441b(b)(4)(D) and 11 C.F.R. § 114.8 — the provisions concerning trade associations — all of these provisions must be read *in pari materia*. If the prohibition did not apply to the member corporation as it does the trade association and its SSF, a member corporation could solicit contributions outside the restricted class for the trade association's SSF and would render the prohibitions at sections 441b(b)(4)(A)(i) and 114.5(g)(1) meaningless.

1 restricted class with the publication of the January, February, and March 2012 editions. *See, e.g.*,
2 Advisory Op. 2007-27 (ActBlue) at 6.

3 Nonetheless, AHLA and HotelPAC contend that, to the extent any persons outside the
4 restricted class received copies of these communications, the number would have been *de*
5 *minimis*. AHLA Resp. at 4. In previous advisory opinions, the Commission has “applied the Act
6 to permit the distribution of solicitation messages in journals, magazines, or newsletters outside
7 the restricted class.” Advisory Op. 2000-07 (Alcatel USA, Inc.) at 3 n.3(“AO 2000-07”). In this
8 particular context, the Commission has required that: (1) the article must include an explicit
9 caveat stating that the contributions will be screened and contributions from persons who are not
10 solicitable will be returned; (2) the declared refund policy must be implemented by the
11 committee; and (3) both the actual number and percentage of unsolicitable persons who receive
12 the publications must be *de minimis*. *See, e.g., id.*; Advisory Op. 1999-6 (Nat’l Rural Letter
13 Carriers’ Ass’n) at 8 (“AO 1999-6”) (distributing solicitations to 450 ineligible recipients out of
14 97,000 delivered, or approximately 1% of total circulation, is *de minimis*). And when a
15 corporation solicits contributions to its SSF over the internet, the Commission has allowed a
16 corporation to provide passwords to persons within the restricted class so that only those persons
17 may access web pages that contain solicitations. *See* AO 2007-27 at 6; Advisory Op. 2006-03
18 (Whirlpool) at 3; AO 2000-07 at 5.

19 Here, despite AHLA and HotelPAC’s contention that only a *de minimis* number of non-
20 members received copies of *Lodging Magazine*, respondents do not provide any specific
21 information to support that claim. Nor do they address the fact that the website of the magazine
22 indicates that the magazine is freely available to the public. Under these circumstances, there is

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1 insufficient information to conclude that the number of non-AHLA members who received the
2 magazine, and thus the number of solicitations it represents, was *de minimis*.

3 Moreover, in both the February and March 2012 solicitations, the president of AHLA
4 informed readers that they may contribute to HotelPAC online by accessing AHLA's website,
5 www.ahla.com. In October 2012, an online contribution option was available. *See*
6 http://www.ahla.com/hotel/pac/ (visited Oct. 12, 2012), Attach. D. In addition, AHLA's public
7 website included another form for contributing to HotelPAC by mail with no instructions
8 limiting contributions to members of the relevant restricted class. *See* Attach. D at 2.⁹ As of
9 January 2013, however, AHLA's website no longer appears to offer an online contribution
10 option. *See* www.ahla.com/hotelpac/ (visited Jan. 17, 2013), Attach. E. Rather, the website
11 provides that additional information about HotelPAC is available to "members of AH&LA and
12 other authorized persons" by contacting an AHLA staff person; the website also allows any
13 person to download a contribution form, and it contains no limiting instruction stating that only
14 AHLA members may make contributions. *See id.*

15 The Commission has determined that a communication regarding SSF activity is a
16 solicitation under 2 U.S.C. § 441b where the communication encourages or facilitates
17 contributions to the SSF. *See, e.g.,* Advisory Op 2003-14 (Home Depot); AO 2000-07. The
18 contribution forms posted on AHLA's website encourage or facilitate contributions to HotelPAC
19 — the forms call for contributions and seek credit card information, suggest contribution
20 amounts, and include notices required for solicitations of voluntary contributions under 2 U.S.C.

⁹ Although this contribution form requests a HotelPAC corporate prior approval information, such restriction would not prevent an individual, who is not within the restricted class of a member corporation, from attempting to make a contribution given that AHLA offers individual memberships. *See* AHLA Resp. at 3.

1 § 441b(b)(3) and 11 C.F.R. § 114.5(a). Because these forms are available to the public at large,
2 they also appear to constitute solicitations of contributions outside the restricted class.

3 We therefore recommend that the Commission find reason to believe that AHLA and
4 HotelPAC violated 2 U.S.C. § 441b(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1) by soliciting
5 contributions to HotelPAC outside the restricted class through solicitations contained in *Lodging*
6 *Magazine* and AHLA's website.

7 **B. Failure to Include Notices Regarding Voluntary Contributions in**
8 **Solicitations**
9

10 To ensure that contributions solicited for an SSF are voluntary, the Act and Commission
11 regulations require that "any person" who solicits contributions to an SSF inform the employee
12 or member of the political purpose of such fund and of his or her right to refuse to contribute
13 without reprisal. *See* 2 U.S.C. § 441b(b)(3)(B), (C); 11 C.F.R. §§ 114.1(i), 114.5(a)(3)-(5); *see*
14 *also* Advisory Op. 2006-17 (Berkeley) at 5. The Commission has applied this requirement to
15 membership organizations, including trade associations. *See, e.g.,* MUR 5681 (High Point Reg'l
16 Ass'n of Realtors) (membership organization failed to include required notices in solicitations);
17 Advisory Op. 1985-12 (Am. Health Care Ass'n PAC) (solicitation of trade association's
18 members must meet requirements of 11 C.F.R. § 114.5(a)).

19 Here, the solicitations referenced in the Complaint did not include all of the notices
20 required for voluntary contributions under 2 U.S.C. § 441b(b)(3)(B) and (C) and 11 C.F.R.
21 § 114.5(a). With respect to the solicitations for the event held in August 2010, the letter inviting
22 Golf Club members to the PAC event contained no such notices, while the registration form
23 failed to notify invitees that they had a right to refuse to contribute without reprisal.¹⁰ *See*

¹⁰ While the registration form states that "[c]ontributions to HotelPAC are voluntary," a mere statement that contributions are voluntary is insufficient to comply with Commission regulations. 11 C.F.R. § 114.1(i) provides

1 Broadmoor Resp., Ex. 8. Furthermore, none of the communications sent to Golf Club members
2 for the 2011 event contained any of the required notices. *See id.*, Ex. 10. Finally, the articles
3 published in the January, February, and March 2012 issues of *Lodging Magazine*, *see supra*
4 Section III.A.2, contained none of the required notices as well.

5 Accordingly, we recommend that the Commission find reason to believe that AHLA and
6 HotelPAC violated 2 U.S.C. § 441b(b)(3)(B), (C) and 11 C.F.R. § 114.5(a) by failing to inform
7 solicitees of the political purpose of HotelPAC and the right to refuse to contribute without
8 reprisal. With respect to the Broadmoor, we believe that the same reasons for dismissing the
9 allegation concerning solicitations outside the restricted class apply here. We therefore
10 recommend that the Commission dismiss the allegation that the Broadmoor violated 2 U.S.C.
11 § 441b(b)(3)(B), (C) and 11 C.F.R. § 114.5(a), but send a letter of caution.

12 III. INVESTIGATION

13 We plan to conduct an investigation to determine the total dollar amount of contributions
14 that HotelPAC accepted in violation of 2 U.S.C. § 441b(b)(4). For violations of this provision,
15 the Commission has historically used the total amount of money raised from the illegal
16 solicitations when determining a civil penalty. *See* First Gen. Counsel's Report at 14, MUR
17 6121 (Advanced Medical Technology) (applying 50% civil penalty formula to unrefunded
18 contributions solicited outside restricted class prior to applying *sua sponte* discount); Second
19 Gen. Counsel's Report at 16-18, MUR 5749 (GSP Consulting). Although we have determined
20 that HotelPAC raised a total of \$28,940 in prohibited contributions from Golf Club members at

that "[v]oluntary contributions are contributions which have been obtained by the separate segregated fund of a corporation or labor organization in a manner which is in compliance with § 114.5(a) and which is in accordance with other provisions of the Act." *See* Conciliation Agreement ¶ 13, MUR 5337 (First Consumers Nat'l Bank) (providing that simply including the term "voluntary" does not diminish the coercive nature of a solicitation or satisfy the requirements of 11 C.F.R. § 114.5(a)).

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1 the fundraising events held at the Broadmoor in 2010 and 2011, we have no information as to the
2 contributions that HotelPAC may have accepted from individuals outside the restricted class in
3 response to the solicitations published in *Lodging Magazine* described above as well as directly
4 through its public website. *See supra* Section III.A.2. Accordingly, we seek authorization to
5 conduct a limited investigation to determine the dollar amount of prohibited contributions raised
6 from the solicitations published in *Lodging Magazine* and on its website. We also request that
7 the Commission authorize the use of compulsory process, if necessary.

8

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IV. RECOMMENDATIONS

1. Find reason to believe that American Hotel & Lodging Association and American Hotel & Lodging Association Political Action Committee and Joori Jeon in her official capacity as treasurer violated 2 U.S.C. § 441b(b)(3)(B), (C) and 11 C.F.R. § 114.5(a)(3), (4);
2. Find reason to believe that American Hotel & Lodging Association and American Hotel & Lodging Association Political Action Committee and Joori Jeon in her official capacity as treasurer violated 2 U.S.C. § 441b(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1) with respect to the solicitations for the 2010 and 2011 HotelPAC fundraisers and solicitations in contained in *Lodging Magazine* and AHLA's website;
3. Dismiss the allegation that American Hotel & Lodging Association and American Hotel & Lodging Association Political Action Committee and Joori Jeon in her official capacity as treasurer violated 2 U.S.C. § 441b(b)(4)(A)(i) and 11 C.F.R. § 114.5(g)(1) with respect to the solicitation for the 2012 HotelPAC fundraiser;
4. Dismiss the allegation that The Broadmoor Hotel, Inc. violated 2 U.S.C. § 441b(b)(3)(B)(C) and (4)(A)(i), and 11 C.F.R. § 114.5(a)(3),(4) and (g)(1), but send a letter of caution;
5. Approve the attached Factual and Legal Analyses;
6. Authorize compulsory process; and
7. Approve the appropriate letters.

Anthony Herman
General Counsel

Daniel Petalas / by JL
Daniel A. Petalas
Associate General Counsel
For Enforcement

Mark Shonkwiler / by JL
Mark Shonkwiler
Assistant General Counsel

Jin Lee
Jin Lee
Attorney

2/19/13
Date

1 Attachments

- 2
3 A. <http://www.lodgingmagazine.com/main/subscribe.aspx> (visited Jan. 11, 2013)
4 B. <http://www.lodgingmagazine.com/Main/digitaleditions.aspx> (visited Jan. 24, 2013)
5 C. *From the President's Desk*, LODGING MAGAZINE, Jan. 2012.
6 D. <http://www.ahla.com/hotelpac/> (visited October 12, 2012)
7 E. <http://www.ahla.com/hotelpac/> (visited Jan. 17, 2013)
8
9

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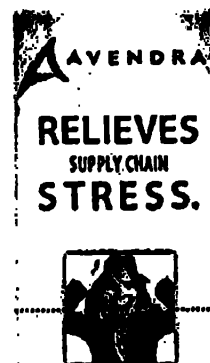
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Digital Editions



January 2013

As 2013 kicks off, the American Hotel & Lodging Association welcomes a new chairman. Ronald Vlasic, regional vice president for Kimpton Hotels & Restaurants, will lead the association as it tackles political, consumer, and industry issues moving forward this year. Lodging Editor Sean Downey finds out what Vlasic will focus on in this month's cover story. This issue also features a special report on the ever evolving relationship between hotels and OTAs and articles about how to effectively implement a disaster preparedness plan and what hotels are doing to make food and beverage concepts more efficient and viable.



December 2012

Our December cover story shows how *Hotel Impossible's* Anthony Melchioni uses a no-nonsense, tough-love approach to help owners of struggling hotels turn things around and reposition their properties. Plus: The show's interior decorating expert, Blanche Garcia, shares tips for budget-conscious hotel improvements. This issue also contains tips for mitigating the hotel lock hack that threatens guests' safety and security, a look at how innovative meeting spaces can help boost group and corporate business, and a brain scan of how the fiscal cliff will affect the hotel industry.



November 2012

Our November issue features a cover story about the fast-paced growth of La Quinta and how the company is working together with its franchise partners to continue that upward trend. Also included in this issue is an article about how hotels can launch successful independent FAB concepts, a story about how community outreach efforts can help build relationships and help a property's marketing efforts, and a look at the costs associated with installing high-speed internet for guests.



October 2012

37-year-old entrepreneur and CEO of SRE Entertainment, Sam Nazarian, has developed an all-inclusive business strategy by developing hotels stocked with his own popular restaurants and nightclubs. For the October cover story, Nazarian spoke about expanding SLS Hotels globally and continuing to build out his hospitality brands in locations around the world. This issue also features articles about high-tech bathrooms improving the guest experience, how to sustain buzz when opening plans get pushed back, and an interview with Carlson's new CEO Trudy Rautio.

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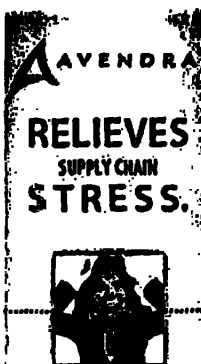
Maintaining a Secure Hotel Environment

Making the Most of It

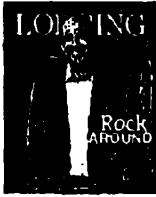
Understanding a Good Sleep Experience

Accounting for Sales Incentives

Can Downtown Las Vegas Be Golden Again?



No matter what ails



September 2012

When Michael Shindler came to Hard Rock International to serve as executive vice president of hotels and casinos in February 2010, the famed brand had expansion on its mind. Since then Hard Rock Hotels & Resorts has expanded its portfolio all over the world. Lodging spoke with Shindler about the brand's rapid expansion success and its plans for the future. Also in this issue, we look at how personalized upsell strategies can increase incremental revenue for hotels, how outdoor spaces can mean big profits for properties, and how to create hypoallergenic rooms to appease guests with allergies.

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August 2012

Featuring thousands of listings and hundreds of headers, the 2013 Lodging Source Book has all of the product and service providers you'll need to keep your hotel running efficiently and profitably. Listings include design & construction, linens, food & beverage, government agencies and associations, human resources, operations, and technology.



July 2012

It's a big year for Motel 6. Celebrating the brand's first 50 years in 2012, it's now also celebrating a new and exciting future under the Blackstone umbrella. The July cover story documents the brand's history and looks toward its future. This issue also features articles about properties updating meeting spaces for flexible and functional events, sustainable pest control for the hospitality industry, and hotels working together to promote a travel destination.



June 2012

In our 24/7 digital age, hotels are investing in new technologies that will simplify and enhance the guest experience while driving business. Pete Sears, senior vice president of North American operations for Hyatt Hotels and Resorts, discusses the company's implementation of a new in-room media and entertainment solution at its full-service properties across the United States, Canada and the Caribbean in this month's Lodging. Also included in this issue are articles about hotels incorporating more versatile meeting spaces, high-tech minibars, and mobile PMS solutions for on-the-go employees.



May 2012

For NBA Hall of Famer David Robinson and business partner Dan Bassichis, hotels are more than an investment in property, they are an investment in the future. Lodging caught up with the co-founders of Admiral Capital Group and discovered that behind every hotel investment is a 10 percent contribution to the community. Find out about their "Admirable Business" in this month's cover story. Also in this issue, our Design & Renovation special section explores how hotel design is creating a symbiotic relationship with local cultures as well as

the latest bedding trends. We also examine restaurant repositioning in hotels and feature the top U.S. franchise companies.



April 2012

As the U.S. experiences a long cycle in real estate, and lending remains restricted, developers and communities are seeking the benefits of adaptive reuse projects. This month's Lodging looks at how

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adapting to adaptive reuse projects. This month, Lodging looks at how adaptive reuse is a key component of hotel development strategies. This issue also features an interview with octogenarian Bill Marriott, who discussed his decision to retire as CEO of Marriott International, as well as his plans for the future. Other highlights include how to create a sustainable hotel and streamlining housekeeping procedures.



March 2012

With a strong balance sheet, no debt, and increased market share, Omni Hotels & Resorts is growing. This month, Lodging looks at how the company plans to continue that growth and examines the high-profile development and acquisition projects that have recently brought it into the limelight of the industry. Also this month, coffeehouses have become a source of fresh-brewed espresso for hotels and just like home TV systems are changing how hotels approach the guest experience. A special section on management companies examines issues for the firms in today's industry and lists the top 100 management companies

in the United States.



February 2012

With his new brand Public and the recent announcement that Edition will soon open five more properties, Ian Schrager is hoping to squash what he calls the "Frankenstein monster" that has taken over the boutique and lifestyle hotel space. In a wide ranging interview with Managing Editor Megan Sullivan at his studio in New York, Schrager says that simplicity is the ultimate sophistication. Also in this issue: a look at developing the MODO brand prototype, using QR codes to create a digital dining experience, and bringing efficiency to laundry operations.



January 2012

As the 2012 chair of the American Hotel & Lodging Association, Nancy Johnson aims to get industry members engaged and involved in driving its future. Johnson, who is executive vice president of development at Carlson Hotels, the Americas, discusses her new position, to which she brings 40-plus years in the hotel industry. This issue also previews this year's AH&LA Legislative Action Summit at which attendees can demonstrate the importance of the lodging industry and its impact. Pressing issues include travel, labor concerns, and the online hotel booking tax. We also cover the evolution of hotel lobbies into 24/7 social hubs, gluten-free menus at hotels, integrated marketing and revenue management, and more.



December 2011

Our annual parade of lodging innovators for 2011 is led by Sant Singh Chatwal and Vikram Chatwal's Dream Downtown. Our salute to innovation continues with 10 creative products that help ease operations, improve the guest experience, and increase productivity. And we take a look back at hot topics our bloggers discussed in 2011. Other highlights of this issue include managing staffing costs and details about a new independent, online travel agency that aims to cut out fees.



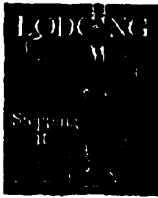
November 2011

Women make up an increasingly bigger share of hospitality leaders. See the hotel industry from their point of view in our cover story, which includes insight from members of the AH&LA's Women in Lodging association. We also chatted with ambitious up-and-coming women under 30. Other features include marketing to the LGBT segment, creative wine programs, and approachable looks in hospitality apparel.



August 2011

Featuring thousands of listings and hundreds of headers, the 2012 Lodging Source Book has all of the product and service providers you'll need to keep your hotel running efficiently and profitably. Listings include design & construction, finance, food & beverage, government agencies and associations, human resources, operations, and technology.



July 2011

Economy brands like Red Roof Inn and Motel 6 are upgrading their looks with the help of smart design and value-engineering. We take a look at their new prototypes and explore this growing trend. In addition, the meetings business is beginning to bounce back, but the landscape has been permanently transformed. We introduce you to the new meetings in a special report. Meanwhile, the green movement has reached the bathroom as hotels continue to make their properties environmentally sound by creating efficient guest bathrooms. Finally, Star Hotel Rewards has reached one year of existence, giving independent hoteliers a new weapon to attract business, and the program is still growing strong.

independent hoteliers strong.



July 2011: Pest Control

Bed bugs can take a bite out of a hotel's bottom line, unless you are ready for them. Learn from the experts how bed bugs can affect business, and what you can do to prevent and react to potential problems, including litigation matters. Also in this supplement, the National Pest Management Association discusses the top 10 bed bug myths, bed bug protocol, and facts every hotel housekeeper should know. Hoteliers must be prepared to address the bed bug concerns of guests, and to monitor their properties for infestations.



June 2011

It will be a long road back from the recession for hotels, but IHG has prepared itself for the recovery by making tough decisions during the downturn. The brand's president of the Americas Jim Abrahamson discusses those decisions and IHG's outlook for the recovery. Also in this issue, we examine the debate over 3D televisions for hotels and ways to make housekeeping operations more efficient. In addition, we take a look at how hotels are representing themselves of the Internet via photography and design. Experts in online marketing share advice on how to properly represent a hotel online. Finally, Future Travel Guide is launching a new website designed to help hotels direct online traffic to their own booking engines. The new site is an expert-driven referral site which will be launching this year.

on how to properly represent a hotel online. Finally, Future Travel Guide is launching a new website designed to help hotels direct online traffic to their own booking engines. The new site is an expert-driven referral site which will be launching this year.



May 2011

What's it take to start a hotel brand from scratch. Veteran hotel designer Dodd Mitchell and The Sonesta Collection are teaming up to launch KEPT Hotels & Resorts. In this issue, Mitchell discusses his vision for the new brand and talks about why and how he came up with the concept. Rooftop bars and restaurants are also becoming a hot trend in the hotel industry. In addition, we examine renovating through soft goods, such as bedding and linens. As hotels try to distinguish themselves during the economic recovery, many are replacing their soft goods with upgrade. Also, new avenues for marketing combined with technological advancements such as QR codes have changed the way hotels market themselves. We tell how the landscape of marketing is changing.

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April 2011

If you've seen the hit TV series *Top Chef*, you probably know our cover subject—Jennifer Carroll, chef de cuisine of 10 Arts by Eric Ripert at The Ritz-Carlton, Philadelphia. Carroll and Chef Jose Andres discuss how chefs and hotels make a perfect pairing. The F&B issue also features articles on the latest coffee trend—pour-over coffee, a fast guide to flash sale websites, and a look at Hilton Worldwide's P&B matchmaking service.



March 2011

As a specialty market, vacation exchange and rentals have held up well throughout the recession. As companies such as Wyndham Exchange & Rentals continue to grow, they're also adopting more practices from the hotel industry. This issue also looks at how hotels are using waterparks to help them their properties and attract business. Meanwhile, Taj Hotels Resorts and Palaces, long successful in the Middle East, is building its brand in North America. Our profile of Kathleen Shea, the marketing guru charged with branding the company in the U.S., examines the company's plans. In addition, sustainability has made its way to food and beverage service. We look at how hotels are sourcing more locally grown products.



February 2011

How important are sustainable initiatives to the hotel industry? Our annual "green issue" examines how the green movement has taken hold in the industry and become standard practice for many hotel companies, such as Fairmont Hotels & Resorts. The USGBC's Sara Schoen discusses how the agency is working to make LEED certification more accessible to hotels. We also look at how HVAC technology is designed to give hotels more control over their energy usage, and how green meetings are picking up steam.



January 2011

A year in the making, Best Western International debuted its Premier and Plus descriptors. Our cover story takes a look at how the descriptors have helped change the playing field for Best Western properties. Other articles include a look at how hotels designers are using new lighting technologies to illuminate properties, the future of hotel telephones, and guest safety. In addition, we present our annual list of the top 50 lodging companies.



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AH&LA

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From the President's Desk...

Happy New Year and welcome to 2012! Happily, earnings increased last year and we are bullish that this will continue this year. The future looks bright in spite of the volatility of the market. To that end, Smith Travel Research predicts supply will only

increase by 0.5 percent; demand, 2.6 percent; occupancy, 2 percent; ADR, 4.9 percent; and RevPAR, 7 percent. Occupancy is forecast to be 81 percent and ADR, \$106.77.

Last year we saw an increase in international visitors due to strengthening economies worldwide and a soft US hotel demand. Favorable currency exchange rates for most major currencies, and continued growth from developing countries. We anticipate another year of increased international travelers to the U.S., as this will be the first year the U.S. has a concerted marketing program through the Corporation for Travel Promotion through its Brand USA initiative. Our Discover America Partnership will be working to increase the number of visa waiver countries and consulate offices, especially in the BRIC countries.

At AH&LA we're looking to increase membership by 5 percent as well as our retention rate. Our Foundation will donate \$1.2 million in scholarships, grants and internships. AH&LA has contracted with Pearson Education, the largest educational entity in the world, to be its sales agent in the education market. We believe this partnership will significantly increase our sales to universities, colleges, community colleges and high school programs.

This year is also an election year. The House is up for reelection, as are 32 seats in the Senate, and the presidency. We need your support for our HotelPAC and we've made it easier than ever through our online donation option on the AH&LA website.

As always, thank you for your membership in AH&LA, which enables us to more effectively speak on your behalf.

18 LODGING MAGAZINE JANUARY 2012

MEMBER BENEFIT PROFILE

FOR MEMBERS ONLY

AH&LA membership offers privileges.

by NETANYA STUTZ

Certain privileges come with being an AH&LA member, like getting access to our members-only website. We house tons of vital industry data, legislative resources, and informative publications to help you run a more efficient, profitable business.

The resources available in the members-only section of www.ahla.com include:

- **AHA materials on the new regulations** | The compliance deadline for most new requirements is March 2012, and these resources will help make sure you're prepared.
- **The new publication exposing the true cost of third party intermediaries** | This insight will help you plan your sales channels more effectively based on long-term ROI.
- **Free webinar archive** | From AHA to PCI compliance, access a range of previously recorded, free webinars led by industry experts.
- **Updates on industry news** | See what crooks have been trying to pull on other properties so you can prevent it from happening to you.
- **A report on the spending power of the top five multicultural markets** | This new study sheds light on new markets that may end up being your most lucrative customers.

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About HotelPAC

HotelPAC is a voluntary, nonprofit, bipartisan political action committee that exists to help elect qualified individuals who recognize the importance of the lodging industry. The ultimate goal of this effort is to provide a favorable business climate in which the lodging industry can prosper.

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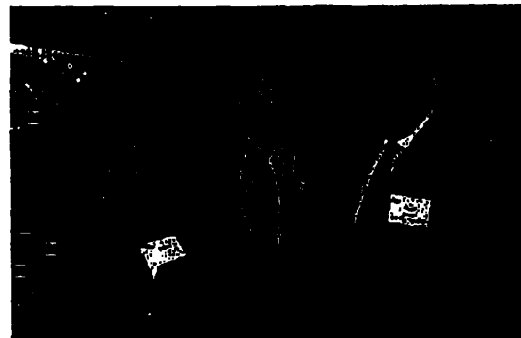
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New - Online giving is now available.
Click the secure link to donate today.

Corporate Permission Form
The Federal Election Campaign Act requires that permission be given by a corporation before any of its employees may be solicited for involvement in HotelPAC.

Click to download
HotelPAC's Corporate Permission and
Donation Form. (PDF)

For a list of upcoming events, click
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For more information about HotelPAC,
please contact Anne-Wesley Teague,
AH&LA Manager of Governmental
Affairs, PAC & Grassroots at (202) 289-
3125 or awteague@ahla.com.



Senator Scott Brown (R-MA), with Laura Dow of Vista Motel and Paul Secco of Massachusetts Lodging Association at a HotelPAC event

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AMERICAN HOTEL & LODGING ASSOCIATION
POLITICAL ACTION COMMITTEE

2012 HotelpAC CONTRIBUTION FORM

PLEASE CHECK YOUR HOTELPAC CONTRIBUTION LEVEL:

- ☐ \$5000 Chairman's Circle \$5,000
☐ \$2500 Presidential Roundtable (\$2,500 and up)
☐ \$1000 Senatorial Council (\$1,000 and up)
☐ \$500 Congressional Council (\$500 and up)
☐ \$250 Sponsor Club (\$250 and up)
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Please circle one: Visa MasterCard AMEX Discover

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If using AMEX please provide 4 digit CID#: _____

Expiration Date: _____

Other Amount List Here: _____

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Signature _____

Date _____

* By signing above, I affirm that this contribution is being made on a personal credit/debit card that I am legally obligated to pay, and is made either as a customer or business entity card not on the card of another person.

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Please return completed form with personal check made out to HotelpAC to:

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1201 New York Avenue, Suite #600
Washington, DC 20005

HOTELPAC CORPORATE PRIOR APPROVAL FORM*

PLEASE FILL OUT ONLY IF YOU ARE A CORPORATE MEMBER OF AHLA

Yes, our company is a corporate member of the American Hotel & Lodging Association (AHLA) and hereby authorizes the AHLA's Political Action Committee (HotelpAC) to solicit voluntary contributions from the corporation's executive and administrative personnel in the calendar year(s) set forth below. This corporation has not approved a solicitation for any other trade association's federal PAC for the same calendar year(s). (A corporation may grant this approval to just one trade association per year.)

PLEASE AUTHORIZE EACH YEAR WITH YOUR SIGNATURE

2012: _____

SIGNATURE

2013: _____

SIGNATURE

2014: _____

SIGNATURE

2015: _____

SIGNATURE

Contributions to HotelpAC are voluntary. The amount given, or the refusal to give, will not benefit or disadvantage the person being solicited. Contributions by corporations, labor unions, national banks, federal contractors (except personal contributions made by employees, partners, and shareholders of federal contractors) and foreign nationals (except individuals lawfully admitted for permanent residence in the U.S.) are prohibited. Contributions to HotelpAC are not deductible as charitable contributions for federal income tax purposes.

1/17/13

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About HotelPAC

HotelPAC is the American Hotel & Lodging Association's Political Action Committee (PAC). It is a voluntary, bi-partisan PAC formed to help elect federal candidates who support the lodging industry. HotelPAC is essential to our ability to engage on Capitol Hill and better educate policy makers on our industry issues. Through these efforts AH&LA significantly increases our ability to facilitate a pro-lodging business climate. In particular, HotelPAC serves to strengthen the lodging industry's political voice, educate and mobilize members to become more politically active, and support candidates who promote legislation and policies that create a fair business environment, allowing the lodging industry to create jobs and grow the economy.

Additional information about HotelPAC is available for members of AH&LA and other authorized persons by contacting Anne-Wesley Teague, AH&LA Manager of Governmental Affairs, PAC & Grassroots at (202) 289-3125 or awteague@ahla.com.

myvoteballot.com

click here

For a list of upcoming AH&LA events,
[click here.](#)

**HotelPAC Los Angeles Event
Registration Form - January 22, 2013**

click here



Senator Scott Brown (R-MA), with Laura Dow of Vista Motel and Paul Sacco of the Massachusetts Lodging Association at a HotelPAC event.

www.ahla.com/hotelpac/

1/2

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AH&LA HotelPAC Luncheon

***featuring Fred Malek**

JW Marriott at LA Live

Tuesday, January 22, 2013: 11:30AM – 1:00PM

Contribution Form

Contribution amount: \$ _____ (Suggested \$125)

Print Name: _____

Title: _____ Hotel/Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Email Address: _____

Personal credit card: AMEX VISA MASTERCARD DISCOVER

Card number: _____

If using AMEX please add 4 digit CID #: _____

Expiration date: _____

Signature: _____

Check: _____ Payable to HotelPAC

Attn: Anne-Wesley Teague

HotelPAC

1201 New York Ave., NW, Suite 600

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To RSVP by FAX or e-mail send to AW Teague at awteague@ahla.com or 202.289.3185

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